IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4661 OF 2002
IN
WRIT PETITION NO. 509 OF 1999

Shri Tejpal Mangaldas Shah ... Petitioner

V/s.

Kantilal Chunilal Patel & Anr. ... Respondents

Mr. P.N. Joshi for the petitioner.
Ms. M.M. Deshmukh for the respondent State.

CORAM : V.R. KINGAONKAR,J.
DATED : 28th July, 2006

P.C.

. Heard learned advocate for the petitioner. None appears for the respondent No.1. The learned advocate for the petitioner submits that the absence of the advocate on the date of hearing was unintentional and he was held up before another Court. The learned APP Ms. M.M. Deshmukh leaves it to the Court to pass appropriate order.

2. The petition is allowed in the interest of justice. The order of dismissal in default is recalled and the original petition is restored to its file. Issue notice to the respondents, returnable in three weeks. Humdast allowed.

[V.R. KINGAONKAR, J.]